IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPLICATION NO. 3192 OF 2007

Nitin Murlidhar Rawtale. ... Applicant.

V/s.

The State of Maharashtra. ... Respondent.

V.V.Purwant for the applicant.

Ms.M.H.Mhatre, APP for the State.

CORAM: V.C.DAGA, J.

DATED: 3rd October 2007.

P.C.:

. Heard learned counsel for the applicant and learned A.P.P. for the State.

2. The applicant is seeking bail in connection with CR.No.369/2006 registered with Bhosari Police Station, Pune for the offences punishable under sections 302, 143, 147, 148, 149, 436 and 427 of Indian Penal Code, under section 4(25) of the Arms Act and under section 37(1) read with 135 of the Bombay Police Act.

3. The learned counsel for the applicant submits that one of the co-accused, viz. Gopikrishna Bhaskar

Dawade is already granted by this Court vide order dated 22nd June, 2007 passed in Criminal Application No.1833/2007. He submits that the role of the applicant is similar to that of co-accused - Gopikrishna, as such applicant would be entitled to bail on parity. The learned A.P.P., appearing for the State, could not controvert the submission advanced by learned counsel for the applicant. In this view of the matter, I am, thus, inclined to grant bail to the applicant, subject to the following conditions:

(a) The applicant, arrested in connection with CR.No.369/2006 registered with Bhosari Police Station, Pune shall be enlarged on bail in the sum of Rs.35,000/- with one or two local sureties to make up the said amount.

(b) The applicant shall report to the concerned Police Station once in a week, i.e. on every Friday between 3.00 to 5.00 p.m. till conclusion of the trial.

(c) The order of bail will be given effect only after the applicant furnishes to the investigating officer the details about his place of residence and address where he proposes to stay after he is enlarged on bail. The applicant will not change his residential

address thereafter till the conclusion of trial without prior intimation to the investigating officer.

(d) The applicant shall not directly or indirectly, make any inducement or threat or pressurise any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

(e) The applicant shall co-operate with the investigating agency for disposal of the case. It is needless to mention that breach of any of the conditions by the applicant shall result in cancellation of bail.

(f) Any observation made in this order shall not be construed as finding or expression on merits of the case at the time of trial.

4. Application stands disposed of accordingly.

JUDGE